

**ZONING COMMITTEE  
MINUTES  
WEDNESDAY, OCTOBER 27, 2010**

The regularly scheduled meeting of the Zoning Committee was held on **Wednesday, October 27, 2010** in Committee Room #2, at 9:32 a.m.

The following members were present:

**The Honorable Aaron Watson, Chair  
The Honorable Cleta Winslow, Vice Chair  
The Honorable Howard Shook  
The Honorable Ivory Lee Young, Jr.**

The following members were absent:

**The Honorable Carla Smith  
The Honorable Keisha Lance Bottoms**

Others present at the meeting were: Charletta Wilson Jacks, Zoning Administrator, Department of Planning and Community Development; City Attorney Jeffery Heymore and members of the public and Council staff.

**A. ADOPTION OF AGENDA - ADOPTED**

**B. APPROVAL OF MINUTES - APPROVED**

**CONSENT AGENDA**

**C. ORDINANCES FOR FIRST READING**

10-O-1886 ( 1)  
**Z-10-29**      An Ordinance by Zoning Committee to rezone property from the R-5 (Two Family Residential) district to the R-4B (Single-Family Residential) District, for property located at **815 Kirkwood (a.k.a. 812 Harold Avenue), SE**, property fronting approximately 50 feet on the north side of Harold Avenue beginning 400 feet from the west side of Chester Avenue.

Depth:	100 Feet
Area:	Approximately 0.114 Acre
Land Lot:	20, 14 <sup>th</sup> District, Fulton County, Georgia
Owner:	Drum Custom Renovations, LLC
Applicant:	Nathan J. Boston
<b>NPU-N</b>	<b>Council District 5</b>

**FAVORABLE - TO BE REFERRED TO ZRB AND ZONING COMMITTEE**

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**C. ORDINANCES FOR FIRST READING (CONT'D)**

10-O-1887 ( 2)  
**U-10-32**

An Ordinance by Zoning Committee granting a Special Use Permit under the provisions of Section 16-06A.005(l)(k) for a Community Center property located at **627 English Avenue, SW, (a.k.a. 785 Pelham Road, SW)**, fronting approximately 234.98 feet on the north side of Pelham Road, approximately 465.35 feet on the east side of English Avenue, approximately 536.95 feet on the west side of James P. Brawley and approximately 158 feet on the south side of Donald Lee Hollowell Parkway.

Depth: Varies

Area: Approximately 3.2 Acres

Land Lot: 112, 14<sup>th</sup> District, Fulton County, Georgia

Owner: Mable A. Thomas

Applicant: Mable A. Thomas

**NPU-L** **Council District 3**

**FAVORABLE - TO BE REFERRED TO ZRB AND ZONING COMMITTEE**

10-O-1888 ( 3)  
**U-10-33**

An Ordinance by Zoning Committee granting a Special Use Permit under the provisions of Section 16-11.005(l)(l) for Outdoor Dining at Eating and Drinking Establishments when any part of such use is located within 1,000 feet of property that is zoned as an R or RG District, property located at **3700-3802 Roswell Road, NW**, fronting 600 feet on the west side of Roswell Road, beginning 137 feet from the northeast corner of Powers Ferry Road.

Depth:	Approximately 450 Feet
Area:	Approximately 10.082 Acres
Land Lot:	112, 14 <sup>th</sup> District, Fulton County, Georgia
Owner:	Regency Centers, LP
Applicant:	Regency Centers, LP by Sharon Gay
<b>NPU-B</b>	<b>Council District 8</b>

**FAVORABLE - TO BE REFERRED TO ZRB AND ZONING COMMITTEE**

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**C. ORDINANCES FOR FIRST READING (CONT'D)**

10-O-1889 ( 4)  
**U-10-34** An Ordinance by Zoning Committee granting a Special Use Permit under the provisions of Section 16-06.005(l)(b) for a Daycare Center, property located at **51 Polar Rock Road, SE**, fronting approximately 195 feet on the west side of Polar Rock Road and Macon Drive.

Depth: Varies

Area: Approximately 2.51 Acres

Land Lot: 71, 14<sup>th</sup> District, Fulton County, Georgia

Owner: Deke Cooper

Applicant: Deke Cooper

**NPU-Z**

## Council District 12

**FAVORABLE - TO BE REFERRED TO ZRB AND ZONING COMMITTEE**

#### D. ZRB SUMMARY REPORT

### **E. ORDINANCE FOR SECOND READING**

10-O-1815 ( 1)  
**U-1093** An Ordinance by Zoning Committee to amend Ordinance U-1093/06-O-2046, as adopted by the City Council on October 2, 2006 and approved by the Mayor on October 11, 2006, for the purposes of approving a Transfer of Ownership for a Special Use Permit for a day care center for property located at **2315 Perkerson Road, SW**; and for other purposes.

**Councilmember Young made a motion to approve. The vote was unanimous.**

**FAVORABLE**

#### F. PAPERS HELD IN COMMITTEE

10-O-0013 ( 1)  
**Z-07-113** An Ordinance by Councilmember Aaron Watson **as substituted and amended by Zoning Committee** to rezone from the I-1-C (Light Industrial-Conditional) District to the MRC-3 (Mixed Residential Commercial) District, property located at **430 and 460 Englewood Avenue, SE**, fronting approximately 678 feet on the north

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**F. PAPERS HELD IN COMMITTEE (CONT'D)**

side of Englewood Avenue beginning approximately 132 feet from the northeast corner of Mailing Avenue. **(Substituted as amended and held 1/13/10 at the request of the District Councilmember)**

Depth: Approximately 1,010 Feet

Area: Approximately 10.32 Acres

Land Lot: 42, 14<sup>th</sup> District, Fulton County, Georgia

Owner: JWGST LLC/Joseph Wiles

Applicant: Jason Fritz

**NPU-Y**

**Council District 1**

**HELD**

10-O-0018 ( 2)  
**Z-08-73**

An Ordinance by Councilmember Aaron Watson **as substituted and amended by Zoning Committee** to rezone from the R-4 (Single Family Residential) and NC-2 (Neighborhood Commercial) Districts to the NC-2 (Neighborhood Commercial) District, properties located at **1146 Portland Street, SE, 1152 Portland Street, SE, 1131 Glenwood Avenue, SE, 1137 Glenwood Avenue, SE 525/527 Moreland Avenue, SE, 529 Moreland Avenue, SE, 535 Moreland Avenue, SE and 537 Moreland Avenue, SE**, fronting approximately 250 feet on the north side of Portland Avenue, approximately 300 feet on the west side of Moreland Avenue and approximately 250 feet on the south side of Glenwood Avenue. **(Substituted and held 1/13/10 at the request of the District Councilmember)**

**HELD**

10-O-0035 ( 3)  
**U-09-22**

An Ordinance by Councilmember Aaron Watson granting a Special Use Permit for a Day Care Center pursuant to Section 16-08.005 (l) (b) for property located at **3751 Martin Luther King, Jr. Drive, SW**, fronting approximately 165 feet on the southeasterly side of Martin Luther King, Jr. Drive at the northeastern intersection of Martin Luther King, Jr. Drive and Bolton

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**F. PAPERS HELD IN COMMITTEE (CONT'D)**

Road. **(Held 1/27/10 at the request of the District Councilmember)**

Depth: Varies

Depth: Varies

Area: Approximately 5.8 Acres

Land Lot: 15, 14<sup>th</sup> District, Fulton County, Georgia

Owner: Charitable Connections, Inc.

Applicant: Charitable Connections, Inc./Michelle R. Uchiyema

**NPU-H**

**Council District 10**

**HELD**

10-O-0031 ( 4)  
**U-09-17**

An Ordinance by Councilmember Aaron Watson **as amended by Zoning Committee** granting a Special Use Permit for a Personal Care Home pursuant to Section 16-08.005 (1)(f) for property located at **762 Bender Street, SW**, fronting approximately 60 feet on the east side of Bender Street, at the southeast corner of Bender Street and Stephens Street. **(Amended and held 2/24/10 at the request of the Councilmember of the District)**

Depth: Varies

Area: Approximately 0.147 Acre

Land Lot: 86, 14<sup>th</sup> District, Fulton County, Georgia

Owner: Deborah L. Turner

Applicant: Deborah L. Turner

**NPU-V**

**Council District 4**

**HELD**

10-O-1473 ( 5)  
**U-10-24**

An **Amended** Ordinance by Zoning Committee granting a Special Use Permit under the provisions of Section 16-06.005(1)(g) for a Personal Care Home, property located at **2695 Dodson Terrace, SW**, fronting 75 feet on the north side of Dodson Terrace and approximately 480 feet west of the intersection of Dodson Terrace and Dodson Drive. **(Held 9/29/10) (Held at the request of the District Councilmember)**

Depth: Varies

Area: Approximately 0.2894 Acre

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**F. PAPERS HELD IN COMMITTEE (CONT'D)**

Land Lot: 199, 14<sup>th</sup> District, Fulton County, Georgia  
Owner: Nnenna M. Ekeke  
Applicant: Nnenna M. Ekeke  
**NPU-R** **Council District 11**

**HELD**

- 10-O-1418 ( 6) An Ordinance by Councilmembers Michael Julian Bond, Aaron Watson, Joyce M. Sheperd, Cleta Winslow, Ivory Lee Young, Jr. and H. L. Willis **as substituted by Zoning Committee** to amend the 1982 Atlanta Zoning Ordinance, as amended, by amending the use chart for SPI-11 Vine City and Ashby Station Special Public Interest District Regulations so as to provide that rooming houses are not permitted principal uses within Sub-Areas 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12; so as to provide that additionally shelters are not permitted principal uses with in Sub-Area 3; and for other purposes. **(Held 10/2710 to allow NPU to take action)**

**HELD**

**I. LINK TO ZRB PENDING LEGISLATION**

<http://citycouncil.atlantaga.gov/2010/pendingzrb.htm>

**SUMMARY REPORT**  
October 27, 2010

<b>LEGISLATION NUMBER FAVORABLE AS AMENDED</b>	<b>ZONING NUMBER</b>	<b>LOCATION (NPU/CD)</b>	<b>CHANGE</b>	<b>STAFF RECOMM.</b>	<b>NPU RECOMM.</b>	<b>ZRB RECOMM.</b>
10-O-1475	U-10-26	1928 Velma Street Z-1	Special Use Permit for a Personal Care Home	Approval Conditional	Deferral	Approval Conditional
Councilmember Shook made a motion to approve as amended. The vote was unanimous.						
10-O-0958	Z-10-12	287 and 289 Little Street, S.E. and 288 Grant Park Place, S.E. W-1	R-5/HD-20K to NC- 7/HD-20K	Approval Conditional	Approval	Approval Conditional
Councilmember Shook made a motion to approve as amended. The vote was unanimous.						
<b><u>ADVERSE</u></b>						
10-O-1474	U-10-25	505 James P. Brawley Drive, S.W. L-3	Special Use Permit for a Personal Care Home	Denial	Approval	Denial

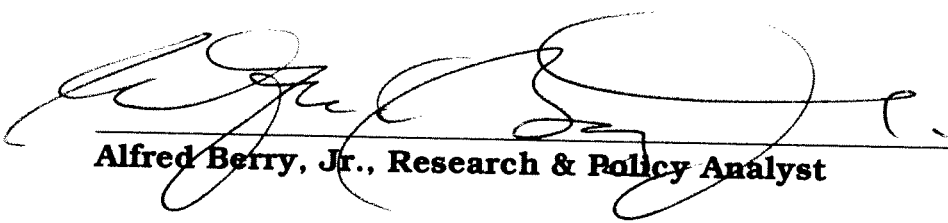
Councilmember Young made a motion to adverse. The vote was unanimous.

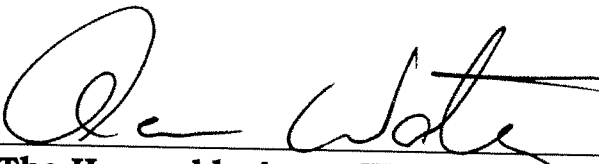
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**There being no further business to come before the Zoning Committee the meeting was adjourned at 9:42 a.m.**

**Respectfully submitted:**

  
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**Angela H. Campbell, Legislative Assistant**

  
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**Alfred Berry, Jr., Research & Policy Analyst**

  
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**The Honorable Aaron Watson, Chair**